

POLICY / PROCEDURE

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| Document Title | Safeguarding Children and Vulnerable Adults - Policy and Procedure |
| Version | 1.0 |
| Approved by | Corporation Board |
| Date approved | October 2016 |
| Effective date | October 2016 |
| Date of next review | September 2017 |
| Lead responsibility | Vice Principal (Curriculum and Quality) |

1. Purpose

The purpose of this Policy is to ensure that effective safeguarding procedures are followed in all cases of suspected abuse to a young person under the age of 18 or a vulnerable adult.

2. Scope

The policy is relevant to all staff and students.

3. Policy

3.1. Policy Statement

- 3.1.1. Our policy pertains to all members of the College community in its widest sense, including learners, staff, employers, work placement providers and contractors.
- 3.1.2. Derwentside College wishes to ensure that all learners achieve their maximum potential in an environment which is safe, secure and supportive of their needs.
- 3.1.3. The College is committed to promoting the welfare of all learners by working in close partnership with all relevant agencies and partners, in accordance with guidance laid down by the Local Safeguarding Children's Board (LSCB).
- 3.1.4. The College is committed to safer recruitment and the college's recruitment policy and procedures support this aim.

3.2. General Principles

- 3.2.1. Derwentside College fully recognises its legal and moral responsibility to promote and safeguard the welfare of its learners who are under the age of 18 or are vulnerable adults.
- 3.2.2. Derwentside College is committed to ensuring that any safeguarding issues are dealt with promptly, sensitively and in line with statutory objectives, national and regional guidelines.

4. Procedure

4.1. Designated Safeguarding Staff

- 4.1.1. The designated members of staff for safeguarding are the Kathryn Mellett, Curriculum Manager Foundation Learning and Learner Support (tel: 01207 585900 ext 927) or Julie Eddy, Assistant Manager Learner Support (tel: 01207 585900 ext. 605). If neither of these is contactable, contact Nigel Lister, Vice Principal Curriculum and Quality (tel: 01207 585900 ext. 931).
- 4.1.2. Outside of normal hours – an allegation received outside of normal hours when the designated staff in paragraph 4.1.1 are not available should be reported to First Contact (0300 267979).

4.2. Procedure on Receiving a Disclosure

- 4.2.1. The welfare of the individual is paramount.
- 4.2.2. The College has a duty to act if there is a cause for concern and to notify the appropriate agencies that are responsible for responding to and investigating reports of safeguarding concerns. The procedures must be followed whenever an allegation is made that a young person or vulnerable adult has been abused or when there is a suspicion that a young person or vulnerable adult has been abused. The College will act within 2 hours of receiving any disclosure.
- 4.2.3. All complaints, allegations or suspicions of abuse must be taken seriously. Staff are required to respond with tact and sensitivity to any young person or vulnerable adult who confides in them.

- 4.2.4. Promises of confidentiality should not be given as there is an obligation to pass on information where there is concern of abuse. However, the individual can be assured that as few people will be involved as possible and that nobody will be told more than they need to know.
- 4.2.5. In the event of a disclosure by a young person or vulnerable adult, leading questions should be avoided as this can cause problems in subsequent investigations and any court proceedings. Investigation should not be carried out by College staff. Staff should listen and make notes and ask questions only if clarification is required.
- 4.2.6. A full and careful record must be made by the member of staff, of any disclosure or allegation to include:
- the date and time that the allegation was made;
 - the names of those present;
 - the date, time and place where the alleged abuse happened;
 - the name of the complainant and where different, the name of the young person or vulnerable adult who has allegedly been abused;
 - a description of any injuries observed;
 - the account that has been given of any allegations.
- 4.2.7. This information should be kept secure and confidential and reported to a designated member of staff as soon as possible.
- 4.2.8. Reports of safeguarding concerns should be made to the designated member of staff in person or via telephone and not be reliant upon electronic communication.
- 4.2.9. Staff should be aware of any special considerations with regard to communication difficulties and equal opportunities as some young people or vulnerable adults with special support needs may require additional support.
- 4.2.10. Where a member of staff has concerns about a young person's or vulnerable adult's welfare they should discuss their concerns with the member of staff designated for safeguarding children and vulnerable adults.
- 4.2.11. The designated member of staff shall report safeguarding concerns, allegations and incidents of abuse to Durham Social Services Team (tel: 0300 267979) before the end of the College day by telephone. This will include advice and discussion as to whether to make a formal referral for safeguarding. The discussion will also include advice regarding contact with the young person's or vulnerable adult's family. A note of the conversation and recommended actions should be made. This should include reference to what, if anything, parents or carers will be told by whom and when.
- 4.2.12. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. Social Care Direct may request that the telephone report be confirmed in writing. The designated member of staff shall retain a copy of the written records and any other relevant material. These will be kept securely.
- 4.2.13. In the event of suspicion or disclosure of a young person or vulnerable adult being forced to marry, the member of staff should refer to the designated person with responsibility for safeguarding. No investigation should be carried out, nor should any attempt be made to mediate. The designated person will contact Social Care Direct and LSCB guidelines should be followed.
- 4.2.14. In the case of the referral being assessed as a hate crime not covered within the definition of safeguarding the designated member of staff will refer to the Bullying & Harassment policy or to the police.

4.3. **Allegations against staff**

- 4.3.1. It is a criminal offence for a person over the age of 18 in a position of trust to enter into a sexual relationship with any student under 18 years old, even if the relationship is consensual.
- 4.3.2. Any suspicion, allegation or actual abuse of a young person or vulnerable adult by a member of College staff must be reported to a designated person with responsibility for safeguarding vulnerable adults who will immediately inform the Principal (or a Designated Deputy). NOTE: The College's procedure for "Dealing with an allegation of abusive behaviour made against an employee" must be followed together with guidance taken from <http://www.durham-lscb.gov.uk>.
- 4.3.3. If a designated member of staff is the subject of the allegation the matter must be reported directly to the Principal.

4.3.4. Where the Principal is the subject of an allegation the matter must be reported to the Chair of the Corporation via the Clerk (email malcolm.sowerby@derwentside.ac.uk tel: 01207 585900 ext 737).

4.4. **Training**

4.4.1. All Derwentside College staff receive safeguarding training via an e-learning computer based package. In accordance with legal requirements, staff undertake training every two years. All new staff receive a safeguarding induction. In line with current Ofsted guidance, Governors are not required to undertake safeguarding training since they do not have regular contact with children.

4.5. **Definitions**

4.5.1. Child abuse is defined by the Children Act as being “where a child is suffering, or is likely to suffer, significant harm”. Safeguarding children is protecting young people under the age of 18 by identifying and responding to individual cases of abuse and by creating an environment, both physical and intellectual, which protects them from harm and provides them with the inner resources to protect themselves from abuse.

4.5.2. Vulnerable adult refers to any person over the age of 18 “who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation” (Department of Health, 2000). The Department of Health in their guidance “No Secrets: Guidance on Developing and Implementing Multi-agency Policies and Procedures to Protect Vulnerable Adults from Abuse” (2000) states that Abuse is a violation of an individual’s human and civil rights by any other person or persons.

4.5.3. Abuse is defined where there is evidence or cause for concern that an individual has suffered from or is at significant risk of any one or more of the following:

- physical abuse, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions;
- sexual abuse, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting;
- psychological abuse, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;
- financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits;
- neglect and acts of omission, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating;
- discriminatory abuse, including racist, sexist, that based on a person’s disability, and other forms of harassment, slurs or similar treatment;

- institutional abuse, features poor care standards, lack of positive responses to complex needs, rigid routines, inadequate staffing and an insufficient knowledge based within the service.

4.6. The following legislation and regulations apply to this policy / procedure:

- The Children Act 1989 and 2004,
- The Education Act 2002,
- The Education (Health Standards) (England) Regulations 2003,
- The Further Education (Providers of Education) (England) (Regulations) 2006.

4.6.1. The following government guidance is relevant to this policy:

- Working together to safeguard Children,
- Keeping Children Safe in Education (updated 2016)
- No Secrets.

5. **Related Documents**

5.1. The following related documents are relevant to this policy / procedure:

- Anti-Harassment and Anti Bullying Policy,
- Health and Safety Policy,
- Physical Security Policy,
- Staff Development Policy,
- Procedure for dealing with an allegation of abusive behaviour made against an employee,
- PREVENT Policy.

6. **Accountability**

6.1. The Vice Principal Curriculum is responsible for the implementation of this policy.

6.2. He or she is also responsible for ensuring that this document is regularly reviewed and updated – and is the first contact point for managers seeking advice and guidance about the Safeguarding Children and Vulnerable Adults - Policy and Procedure or making enquiries about its interpretation.

6.3. All managers are responsible for ensuring that they and their team members follow the requirements set out in this document.

6.4. All employees are responsible for adhering to the requirements set out in this document.

7. **Equality & Diversity**

7.1. The College has paid due regard to equality considerations during the preparation and implementation of this Policy and Procedure.

7.2. These considerations included the potential for any differential negative effect on the grounds of age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, sexual orientation, marriage or civil partnership.

7.3. The College's judgement is that there is no such negative effect on those grounds and, consequently, no potential breach of the Equality Act 2010.

7.4. The operation of this Policy and Procedure will be monitored by the Personnel Manager in order to establish that no unlawful discrimination is taking place and to identify opportunities for the College to enhance equality of opportunity and fair treatment.

8. Review

8.1. This document will be reviewed by September 2016.

8.2. The Vice Principal Curriculum and Quality will undertake this review, taking into account the outcomes of the monitoring process, legislative changes and developments in good practice.

8.3. As part of the review, the Vice Principal Curriculum and Quality will seek and consider the views of the College's employees and of the recognised trade unions.

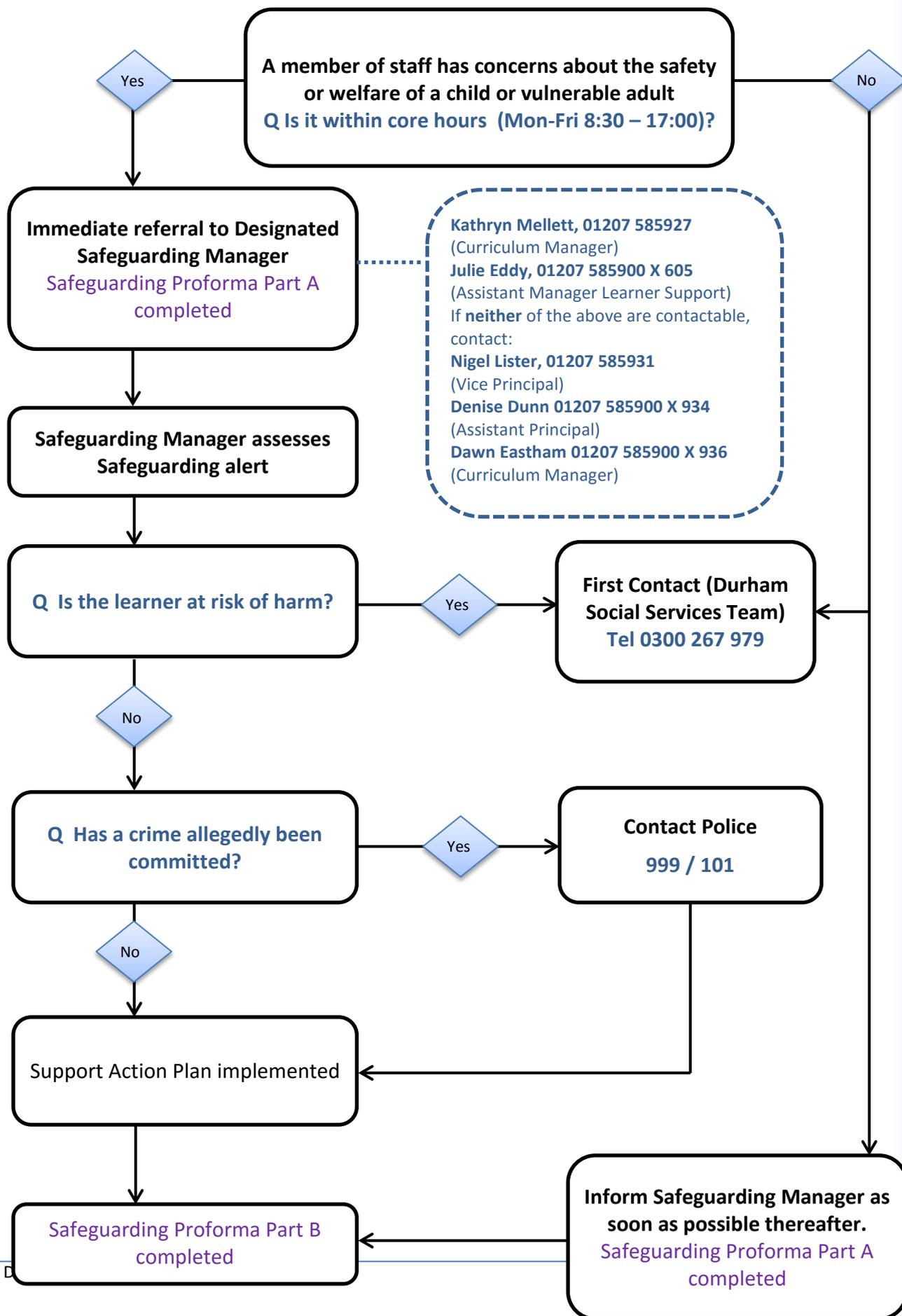
8.4. The outcome of the review will be reported to the Senior Management Team.

9. Document Identification

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| Category [select ONE only] | <input type="checkbox"/> Programmes/courses <input type="checkbox"/> Partnerships <input type="checkbox"/> Finance <input type="checkbox"/> Quality <input type="checkbox"/> Governance <input checked="" type="checkbox"/> Health and safety <input type="checkbox"/> Facilities <input type="checkbox"/> Computer Services <input type="checkbox"/> MIS <input type="checkbox"/> Admissions <input type="checkbox"/> Teaching and learning <input type="checkbox"/> Personnel |
| Audience [select ALL that apply] | <input checked="" type="checkbox"/> Employees <input checked="" type="checkbox"/> Learners <input checked="" type="checkbox"/> Partners <input checked="" type="checkbox"/> Suppliers |

Safeguarding Children and Vulnerable Adults

Procedural Flowchart



Within 2 hours

Within 24 hours